

## DECLARATION

APR 2 2001

As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.

We believe we are the original, first, and joint inventors of the invention entitled "DSP-12 AND DSP-13 DUAL-SPECIFICITY PHOSPHATASES," which is described and claimed in the specification and claims of Patent Application No. 09/775,925, which we filed in the United States Patent and Trademark Office on February 1, 2001, and for which a patent is sought; and that this application discloses and claims subject matter disclosed in our earlier-filed U.S. Provisional Application No. 60/179,886, filed February 2, 2000.

We have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment specifically referred to herein (if any).

We acknowledge our duty to disclose information of which we are aware which is material to the patentability and examination of this application in accordance with 37 C.F.R. § 1.56(a).

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

  
Ralf M. Luche

Date

Residence : City of Seattle, County of King  
State of Washington

Citizenship : Germany

P.O. Address : 4028 Northeast 196<sup>th</sup> Court  
Seattle, Washington 98155

Bo Wei

Date 4/23/01  
Residence : City of Kirkland, County of King  
State of Washington  
Citizenship : Peoples Republic of China  
P.O. Address : 10565 Northeast 137<sup>th</sup> Place  
Kirkland, Washington 98034

U:\Karen\Will SJR Ceptyr 200125 1020.doc  
(200125.420)

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ralf M. Luche and Bo Wei  
 Application No. : 09/775,925  
 Filed : February 1, 2001  
 For : DSP-12 AND DSP-13 DUAL-SPECIFICITY PHOSPHATASES

Docket No. : 200125.420

Box Missing Parts  
 Assistant Commissioner for Patents  
 Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints Richard W. Seed, Reg. No. 16,557; Robert J. Baynham, Reg. No. 22,846; George C. Rondeau, Jr., Reg. No. 28,893; David H. Deits, Reg. No. 28,066; William O. Ferron, Jr., Reg. No. 30,633; David J. Maki, Reg. No. 31,392; Richard G. Sharkey, Reg. No. 32,629; David V. Carlson, Reg. No. 31,153; Karl R. Hermanns, Reg. No. 33,507; Michael J. Donohue, Reg. No. 35,859; Jane E. R. Potter, Reg. No. 33,332; Robert Iannucci, Reg. No. 33,514; Lorraine Linford, Reg. No. 35,939; David W. Parker, Reg. No. 37,414; E. Russell Tarleton, Reg. No. 31,800; Ellen M. Bierman, Reg. No. 38,079; Brian G. Bodine, Reg. No. 40,520; Robert M. Ward, Reg. No. 26,517; Frank Abramonte, Reg. No. 38,066; Kevin S. Costanza, Reg. No. 37,801; Thomas L. Loop, Reg. No. 42,810; Stephen J. Rosenman, Reg. No. 43,058; Brian L. Johnson, Reg. No. 40,033; Susan D. Betcher, Reg. No. 43,498; William T. Christiansen, Reg. No. 44,614; Eric J. Gash, Reg. No. 46,274; Jeffrey C. Pepe, Reg. No. 46,985; Charles E. Ruschick, Reg. No. 43,068; Timothy L. Roller, Reg. No. 47,135; and James M.

application and transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to Stephen J. Rosenman, Ph.D., at (206) 622-4900 and telecopies to (206) 682-6031

Please direct all communications to:

Stephen J. Rosenman, Esq.  
Seed Intellectual Property Law Group PLLC  
701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to CEPTYR, Inc. filed concurrently herewith for recording, a copy of which is attached hereto and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

CEPTYR, Inc.  
ASSIGNEE

April 25, 2001  
DATE

Deborah E. Cool  
Deborah E. Cool, Ph.D.  
Vice President of Research

Enclosure:

Copy of Assignment

U:\karen\will\SJR\Ceptyr 200125\1019.doc  
(200125.420)